Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report

2022-1356
Officer Involved Critical Incident - 1659 S. Main Street, Akron, Ohio 44301

Investigative Activity: Review of Records

Date of Activity: 10/20/2022

Narrative:

On Thursday, October 10, 2022, the Bureau of Criminal Investigation (BCI) Special Agent Supervisor (SAS) Kevin Barbeau was requested to review the below reports and body worn cameras (BWC) for Garrity related materials. These attached reports and BWCs are associated with an Officer Involved Critical Incident (OICI) that occurred on Monday, June 27, 2022, between members of Akron Police Department (APD) and Jayland Walker, deceased involved party.

SAS Barbeau reviewed the *"ORIGINAL Orrand Action Taken"* report. This report is was authored by APD Detective Sergeant Mike Orrand. Det. Orrand was the assigned detective for this particular investigation until BCI was requested to investigate this matter. SAS Barbeau located material that could be Garrity related. SAS Barbeau highlighted in BLACK the Garrity related material in such a fashion that the information is unreadable. This edited version was saved electronically to the file and attached below as "*EDITED Orrand Action Taken."* This edited version may be reviewed by investigators.

SAS Barbeau reviewed the *"ORIGINAL 2022-078920 Supplement-Pasternak 1410"* report. This report is was authored by APD Sergeant M. Pasternak, who was working during the time of the OICI. SAS Barbeau located material that could be Garrity related. SAS Barbeau highlighted in BLACK the Garrity related material in such a fashion that the information is unreadable. This edited version was saved electronically to the file and attached below as "*EDITED 2022-078920 Supplement-Pasternak 1410."* This edited version may be reviewed by investigators.

SAS Barbeau reviewed the *"ORIGINAL 2022-078920 Supplement-Sterling 1397"* report. This report is was authored by "1397 Sterling." It should be noted the report does not provided SAS Barbeau with knowledge of Sterling's rank. SAS Barbeau located NO material that could be Garrity related.

SAS Barbeau reviewed the BWC titled "TALLMADGE_[redacted]otential Garrity material. The tag and information on the BWC video is "2022-06-27; 00:30:41 - 0400; AXON BODY 3 X6039A5JQ." The total time for the video is 0:08:43. At approximately 0:08:20 of the video there is potential Garrity related material.

SAS Barbeau reviewed the BWC titled "TALLMADGE_[redacted]tential Garrity

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material. The tag and information on the BWC video is "2022-06-27; 00:30:41 - 0400; AXON BODY 3 X6039AE6K." The total time for the video is 0:14:39. At approximately 0:08:19 of the video there is potential Garrity related material. It should be noted there is no audio from approximately 0:04:47 until the end of the video.

SAS Barbeau reviewed the BWC titled "TALLMADGE_[redacted]tential Garrity material. The tag and information on the BWC video is "2022-06-27; 00:30:41 - 0400; AXON BODY 3 X6039AG5G." The total time for the video is 0:12:25. At approximately 0:06:15 of the video there is potential Garrity related material. It should be noted there is no audio from approximately 0:06:43 until the end of the video.

SAS Barbeau reviewed the BWC titled "TALLMADGE_[redacted] potential Garrity material. The tag and information on the BWC video is "2022-06-27; 00:34:03 - 0400; AXON BODY 3 X6039A84H." The total time for the video is 0:10:36. At approximately 0:04:58 of the video there is potential Garrity related material. It should be noted there is no audio from approximately 0:05:28 until the end of the video.

SAS Barbeau reviewed the BWC titled "TALLMADGE_Pasternak_1410" for potential Garrity material. The tag and information on the BWC video is "2022-06-27; 00:34:03 - 0400; AXON BODY 3 X6039AEG5." The total time for the video is 0:01:34. There is NO Garrity material within this video. This video contains interaction between Ofc. Pasternak and a potential civilian witness.

SAS Barbeau reviewed the BWC titled "TALLMADGE_[redacted]tential Garrity material. The tag and information on the BWC video is "2022-06-27; 00:34:01 - 0400; AXON BODY 3 X6039ADMA." The total time for the video is 0:12:57. At approximately 0:05:00 of the video there is potential Garrity related material. It should be noted there is no audio from approximately 0:05:25 until the end of the video.

SAS Barbeau reviewed the BWC titled "TALLMADGE_[redacted]otential Garrity material. The tag and information on the BWC video is "2022-06-27; 00:37:01 - 0400; AXON BODY 3 X6031052Q." The total time for the video is 0:02:36. At approximately 0:02:00 of the video there is potential Garrity related material.

SAS Barbeau reviewed the BWC titled "TALLMADGE_[redacted]ential Garrity material. The tag and information on the BWC video is "2022-06-27; 00:33:55 - 0400; AXON BODY 3 X60A5581V." The total time for the video and audio is 0:11:14. At approximately 0:05:05 of the video there is potential Garrity related material. It should be noted there is no audio from approximately 0:05:36 until the end of the video.

SAS Barbeau reviewed the BWC titled "TALLMADGE_Pasternak" for potential Garrity material. The tag and information on the BWC video is "2022-06-27; 00:36:08 - 0400; AXON BODY 3 X6039AEG5." The total time for the video is 0:08:56. At approximately 0:02:53 of the video there is potential Garrity related material. It should be noted there is no audio from approximately 0:03:15 until the end of the video.

SAS Barbeau reviewed the BWC titled "W_Wilbeth_Clairmonth_[redacted]tential Garrity material. The tag and information on the BWC video is "2022-06-27; 00:37:03 - 0400;

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AXON BODY 3 X6039AG70." The total time for the video is 0:02:30. At approximately 0:01:58 of the video there is potential Garrity related material.

SAS Barbeau reviewed the BWC titled "Wilbeth_and_Clairmont Tersigni" for potential Garrity material. The tag and information on the BWC video is "2022-06-27; 00:38.21 - 0400; AXON BODY 3 X6039AHB3." The total time for the video is 0:08:56. At approximately 0:00:35 until 0:00:55 there is potential Garrity related material. There is also Garrity related material from 0:05:18 until 0:06:29. It should be noted during the following durations there is no audio:

- 0:02:37 to 0:03:52
- 0:05:29 to 0:06:43
- 0:06:48 to the end of the video

SAS Barbeau reviewed the BWC titled "Wilbeth_and_Clairmont-2-Singlsey" for potential Garrity material. The tag and information on the BWC video is "2022-06-27; 00:38.21 - 0400; AXON BODY 3 X6039AE6M." The total time for the video is 0:13:41. At approximately 0:00:55 until 0:01:26 there is potential Garrity related material. There is also Garrity related material from 0:05:11 until 0:06:06. It should be noted during the following durations there is no audio:

- 0:02:34 to 0:03:50
- 0:05:56 to 0:06:06
- 0:07:42 to 0:07:57
- 0:09:09 to 0:11:00
- 0:11:20 to the end of the video

The original unedited reports have been placed on a CD and sealed in an envelope. The sealed envelope has been added to the physical case file.

Attachments:

Attachment # 01: EDITED Orrand Action Report
Attachment # 02: EDITED 2022-078920 Supplement-Pasternal 1410

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AKRON POLICE DEPARTMENT

ACTION TAKEN

SUBJECT	RECORD NUMBER
JAYLAND E. WALKER 1145 KOHLER AVE. AKRON, OHIO 44314	2022-078920

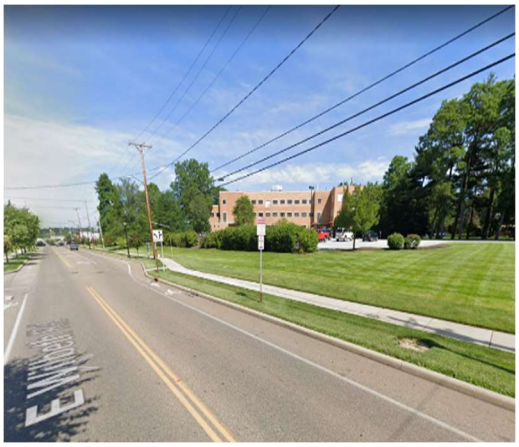
INCIDENT:	DATE	PAGE
OFFICER INVOLVED USE OF DEADLY FORCE	10/20/22	1

CLEARANCES:

A	☒	DEATH OF OFFENDER	E	☐	JUVENILE/NO CUSTODY	I	☐	INVEST PENDING
B	☐	PROSECUTION DECLINED	F	☐	ARREST-ADULT	J	☐	CLOSED
C	☐	EXTRADITION DENIED	G	☐	ARREST-JUVENILE	K	☐	UNFOUNDED
D	☐	VICTIM REFUSED COOP.	H	☐	WARRANT ISSUED	U	☐	UNKNOWN
U	☐	REFERRED TO PROS						

DATE/TIME OF INCIDENT: Monday, June 27th, 2022, at 00:31hours
Temperature 70's /Conditions Clear / Nightime

PLACE OF INCIDENT:



Main St. / E. Wilbeth Rd.
Akron, Ohio 44306
District 5

The parking lot is just to the east of Main St. and E. Wilbeth Rd. It sits on the north side of E. Wilbeth Rd. and belongs to The Bridgestone/Firestone Corp. It is a paved asphalt lot that was empty at the time of the incident but when I arrived it had an AFD Fire Truck and Med Unit positioned on opposite sides of where the decedent was laying. Both AFD units were parked parallel to E. Wilbeth Rd.

Reporting Officer	Supervisor	RECORDS____
Sgt. Mike Orrand 1197	Lt. Hammond 987	DB_____ OFFICER____

SUBJECT (1):

JAYLAND E. WALKER
B/M/25
DECEASED

1145 KOHLER AVE.
AKRON, OHIO 44314

ACTION TAKEN:

On Monday, June 27th, 2022, I was working in the Midnight Major Crimes Investigative Unit. The two other detectives working this night/shift were, Detective Keith Williams 1351, Detective Tom Aber 1398, Detective Mike Williams 1189, and Officer Todd Stump 1333 (Light Duty).

Around 00:31 hours we overheard radio traffic from Car [redacted] ([redacted]) stating that they were involved in a vehicle pursuit. The officers radioed that the suspect/driver fired a shot at them before getting onto the expressway. We continued to monitor the radio traffic and progression of the pursuit.

About six minutes into the chase, we heard the officers' radio that the vehicle was slowing down and then an officer yelled, ***"shots fired."*** We waited for confirmation that it was an officer involved use of deadly force and I started making my notifications to DCOP Harding and Captain Brewer. I advised Detective Mike Williams and Officer Stump to start making notifications according to our, ***"Major Incident Call in List."*** I advised Detective Keith Williams and Aber to go to the

Reporting Officer	Supervisor	RECORDS____
Sgt. Mike Orrand 1197	Lt. Hammond 987	DB_____ OFFICER____

scene, I started out shortly after they did.

I arrived on scene around 00:50 hours and spoke to Sgt. Sinsley. [redacted]

I asked who collected the involved officers BWC's and Sgt, Sinsley advised that Sgt. Pasternak collected them.

Detective Aber asked them (involved officers) three public safety questions.

1. Did they fire with a handgun or their rifle?
2. How many rounds they think they fired?
3. Did they use their taser?

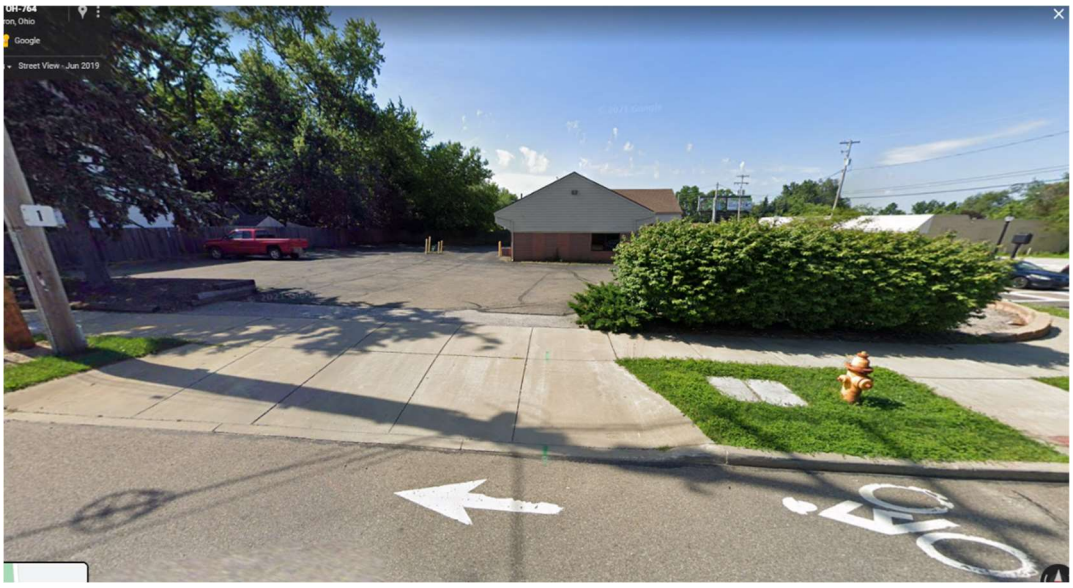
I then advised Detective Aber to contact Bridgestone/Firestone security to see if anyone occupied the building at the time of the incident and if they had cameras that monitored the parking it where it occurred.

- Detective Aber contacted a security guard, and he said that the camera directed at the parking lot was not working. Detective Aber completed an Action Taken report as well which contains the guard's contact information.

I advised Sgt. Sinsley to sequester the involved officers in a parking lot at Main St. and E. Wilbeth Rd. It was a lot that provided some concealment due to its lighting conditions but was within the outer perimeter we established for the scene. I

am unsure what the business attached to the lot is called but it is on the southwest corner of the intersection (Previously David Looney Attorney's Office). The officers were sequestered in separate cruisers with another uninvolved officer accompanying them.

SEQUESTERED OFFICERS LOT



Once all the officers were sequestered and I assured their BWC's were collected I started to survey the scene. I walked eastbound on E. Wilbeth Rd. and observed that the suspect's vehicle was crashed into some bushes that bordered around the perimeter of The Firestone Park Christian Church. The church sits on the corner of E. Wilbeth Rd. and Clairmont Ave. The vehicle was a grey 2005 Buick (HON4514) that was registered to Jayland Walker. [redacted] It was not entered stolen, and I presumed that the decedent was

possibly Jayland Walker (owner of the vehicle).

When I walked closer to the vehicle, I observed a pistol and magazine laying on the driver's seat of the vehicle, so I had an uninvolved officer stay with the car and informed him not to let anyone go near it.

I then asked Sgt. Sinsley the names of the officers that fired their pistols and what their car assignments were. [redacted]

I sketched out a map of the scene and walked out the yardage (approximation) from the location of the vehicle to the road and then to the area where the body was. My sketch is included in this investigation, but it was around 38 yards from the car to E. Wilbeth Rd. and then 90 yards from the car to the area of the body. It wasn't until I did the walk through with the individual officers that I learned he (Walker) did not run from where his vehicle was crashed into the church.

Around 01:52 hours I spoke with BCI Agent Justin Soroka on the phone and advised him about the incident.

Detective Keith Williams was assigned to monitor the individual officers round counts and he recorded it with his BWC. FOP attorney Don Malarcic arrived and after he spoke with each officer and FOP President Cozart, we started the

individual officer walk-through at 02:30 hours. City of Akron Chief Legal Advisor Craig Morgan was present and witnessed the walk-through with each officer. [redacted]

Reporting Officer	Supervisor	RECORDS____
Sgt. Mike Orrand 1197	Lt. Hammond 987	DB_____ OFFICER____

[redacted]

At 03:45 hours BCI Agent Soroka arrived and I briefed him again about the incident and scene.

Detective Keith Williams and Aber responded to the S/B ramp of Rt. 8 at E. Tallmadge Ave. CSU Detective Dnunzio located a spent shell casing on the ramp with detectives present.

Around 09:00 hours I responded to the Summit County Medical Examiner's Office. I was present for the autopsy of Atavia Robinson, that was shot and killed two nights before. Dr. Shott performed her autopsy and was starting to process the body of Jayland Walker when I was notified by Sgt. Starvaggi that I was no longer assigned to the case. He advised that BCI was handling the investigation and I left the Medical Examiners Office around 11:00 hours.

When I returned to work later that same night I recived a phone call from Kia Walker (Jayland's sister 234 500-0027). She stated that Jayland has not been the same since his Fiance died in Cincinnatti on May 27th, 2022. I recorded our conversation and uploaded it into Evidence.com, then advised my chain of command about the conversation.

AKRON POLICE DEPARTMENT

SUPPLEMENT REPORT

CASE# **2022-00078920**

EVENT

REPORTED DATE/TIME	OCCURRED INCIDENT TYPE	
07/01/2022 01:00		
OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE
		E Wilbeth RD OH

OFFENSES

	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT

JACKET/SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				
DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

SUBJECT

JACKET/SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				
DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
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SUBJECT

JACKET/SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				
DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

REPORTING OFFICER	DATE	REVIEWED BY
1410 Pasternak	07/01/2022	

AKRON POLICE DEPARTMENT

SUPPLEMENT REPORT CASE# **2022-00078920**

NARRATIVE

I, Sgt. M. Pasternak #1410, was working car 41 on June 27th, 2022. At approximately 0030 hours, I heard car [redacted] begin to call out a chase over the radio. As the chase proceeded, I heard car [redacted] announce over the radio that a shot was fired from the suspect vehicle and that the officers were not struck. I was in the station at the time but got in my cruiser and drove to the area of the chase. The suspect vehicle was travelling west on Wilbeth Rd approaching S Main St. Several other cruisers and I stopped oncoming traffic at the intersection of S Main St and Wilbeth Rd so that the chase could proceed safely.

While still at the intersection, I heard an officer call out that the suspect vehicle was slowing down. Shortly after, I saw a gold firework erupt over the treeline to the east of my location. I then heard a large amount of pops that sounded like gunfire right after I saw the firework. Due to the close proximity of seeing the firework and hearing the pops, I could not distinguish which pops were from the fireworks and which pops were gunfire. I didn't immediately hear anything over the radio so I went east on Wilbeth Rd towards the sounds. As I was approaching, I heard an officer announce over the radio that shots were fired and a med unit was requested. When I arrived on scene, I saw a lot of officers near the suspect who was laying on the ground in the parking lot of the Firestone building.

Sgt. Tersigni was with the officers near the suspect. Sgt. Tersigni directed the officers that fired their weapons towards me while the other officers on scene rendered medical aid. I sequestered [redacted] and Bishop in seperate cruisers. I also [redacted] Sgt. Sinsley provided me with Body Worn Cameras from [redacted] who were involved in the incident and four officers who witnessed the [redacted]. I transferred custody of the Body Worn Cameras to Det. S. Flail from the CSU unit. I assisted with scene security until I was no longer needed. I then cleared the call and resumed patrol.

REPORTING OFFICER	DATE	REVIEWED BY
1410 Pasternak	**07/01/2022**	